

(c) **APPLICABILITY.**—Payment under subsection (d) of such section, as added by subsection (b) of this section, may be made available for a qualifying injury to the brain that occurs before, on, or after the date of the enactment of this Act as the Director of the Central Intelligence Agency considers appropriate.

(d) **REPORTS.**—

(1) **REPORT ON USE OF AUTHORITY.**—

(A) **IN GENERAL.**—Not later than 365 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall submit to the appropriate congressional committees a report on the use of the authority provided by section 19A(d) of such Act, as added by subsection (b) of this section.

(B) **CONTENTS.**—The report submitted under subparagraph (A) shall include the following:

(i) A budget or spend plan for the use of the authority described in subparagraph (A) for the subsequent fiscal year.

(ii) Information relating to the use of the authority described in subparagraph (A) for the preceding year, including the following:

(I) The total amount expended.

(II) The number of covered dependents, covered employees, and covered individuals for whom payments were made.

(III) The amounts that were provided to each person described in subclause (II).

(iii) An assessment of whether additional authorities are required to ensure that covered dependents, covered employees, and covered individuals can receive payments for qualifying injuries, such as a qualifying injury to the back or heart.

(C) **FORM.**—The report submitted under subparagraph (A) shall be submitted in classified form.

(2) **REPORT ON ESTIMATED COSTS FOR FISCAL YEAR 2023.**—Not later than March 1, 2022, the Director shall submit to the appropriate congressional committees a report detailing an estimate of the obligation that the Director expects to incur in providing payment under section 19A(d) of such Act, as added by subsection (b) of this section, in fiscal year 2023.

(e) **REGULATIONS.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Director shall prescribe regulations required under section 19A(d)(3)(A) of such Act, as added by subsection (b) of this section.

(2) **NOTICE TO CONGRESS.**—Not later than 210 days after the date of the enactment of this Act, the Director shall submit to the appropriate congressional committees the regulations prescribed in accordance with paragraph (1).

(f) **CLARIFYING AMENDMENT.**—Section 19A(b) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3519b(b)) is amended, in the subsection heading, by inserting “TOTAL DISABILITY RESULTING FROM” before “CERTAIN INJURIES”.

#### **SEC. \_\_\_\_ . AUTHORITY TO PAY PERSONNEL OF DEPARTMENT OF STATE FOR CERTAIN INJURIES TO THE BRAIN.**

(a) **DEFINITIONS.**—In this section:

(1) **DEFINITION OF APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(2) **COVERED DEPENDENT, COVERED EMPLOYEE, COVERED INDIVIDUAL, AND QUALIFYING INJURY.**—The terms “covered dependent”, “covered employee”, “covered individual”, and “qualifying injury” have the meanings given such terms in section 901(e) of title IX

of division J of the Further Consolidated Appropriations Act, 2020 (22 U.S.C. 2680b(e)).

(b) **IN GENERAL.**—Section 901 of title IX of division J of the Further Consolidated Appropriations Act, 2020 (22 U.S.C. 2680b) is amended—

(1) in subsection (f), by striking “subsection (a) or (b)” both places it appears and inserting “subsection (a), (b), or (i)”; and

(2) in subsection (h)—

(A) in paragraph (1), by striking “IN GENERAL.—This section” and inserting “ADJUSTMENT OF COMPENSATION PROVISION.—Subsections (a) and (b)”; and

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following new paragraph:

“(2) **OTHER PAYMENT PROVISION.**—Payment under subsection (i) may be made available for a qualifying injury that occurs before, on, or after the date of the enactment of such subsection.”; and

(3) by adding at the end the following new subsection:

“(i) **OTHER INJURIES.**—

“(1) **IN GENERAL.**—Notwithstanding any other provision of law but subject to paragraph (2), the Secretary of State or other agency head with an employee abroad may provide payment to a covered dependent, a dependent of a former employee, a covered employee, a former employee, and a covered individual for a qualifying injury to the brain.

“(2) **LIMITATIONS.**—

“(A) **APPROPRIATIONS REQUIRED.**—Payment under paragraph (1) in a fiscal year may only be made using amounts appropriated in advance specifically for payments under such paragraph in such fiscal year.

“(B) **MATTER OF PAYMENTS.**—Payments under paragraph (1) using amounts appropriated for such purpose shall be made on a first come, first serve, or pro rata basis.

“(C) **AMOUNTS OF PAYMENTS.**—The total amount of funding obligated for payments under paragraph (1) may not exceed the amount specifically appropriated for providing payments under such paragraph during its period of availability.

“(3) **REGULATIONS.**—

“(A) **IN GENERAL.**—The Secretary or other agency head described in paragraph (1) that provides payment under such paragraph shall prescribe regulations to carry out this subsection.

“(B) **ELEMENTS.**—The regulations prescribed under subparagraph (A) shall include regulations detailing fair and equitable criteria for payment under paragraph (1).”.

(c) **REPORTS.**—

(1) **REPORTS ON USE OF AUTHORITY.**—

(A) **IN GENERAL.**—Not later than 365 days after the date of the enactment of this Act, the Secretary of State and each other agency head that makes a payment under subsection (i) of section 901 of title IX of division J of the Further Consolidated Appropriations Act, 2020 (22 U.S.C. 2680b), as added by subsection (b) of this section, shall submit to the appropriate congressional committees a report on the use of the authority provided by such subsection (i).

(B) **CONTENTS.**—Each report submitted under subparagraph (A) shall include the following:

(i) A budget or spend plan for the use of the authority described in subparagraph (A) for the subsequent fiscal year.

(ii) Information relating to the use of the authority described in subparagraph (A) for the preceding year, including the following:

(I) The total amount expended.

(II) The number of covered dependents, covered employees, and covered individuals for whom payments were made.

(III) The amounts that were provided to each person described in subclause (II).

(iii) An assessment of whether additional authorities are required to ensure that covered dependents, covered employees, and covered individuals can receive payments for qualifying injuries, such as a qualifying injury to the back or heart.

(C) **FORM.**—The report submitted under subparagraph (A) shall be submitted in classified form.

(2) **REPORTS ON ESTIMATED COSTS FOR FISCAL YEAR 2023.**—Not later than March 1, 2022, the Secretary of State and each other agency head that makes a payment under subsection (i) of section 901 of title IX of division J of the Further Consolidated Appropriations Act, 2020 (22 U.S.C. 2680b), as added by subsection (b) of this section, shall submit to the appropriate congressional committees a report detailing an estimate of the obligation that the Director expects to incur in providing payment under such subsection (i) in fiscal year 2023.

(d) **REGULATIONS.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of State and each other agency head that makes a payment under subsection (i)(1) of section 901 of title IX of division J of the Further Consolidated Appropriations Act, 2020 (22 U.S.C. 2680b), as added by subsection (b) of this section, shall prescribe regulations required under subsection (i)(3)(A) of such Act.

(2) **NOTICE TO CONGRESS.**—Not later than 210 days after the date of the enactment of this Act, the Secretary of State and the agency heads described in paragraph (1) shall submit to the appropriate congressional committees the regulations prescribed in accordance with paragraph (1).

**SA 1584.** Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### **SEC. \_\_\_\_ . ACCESS TO AGENCY GUIDANCE DOCUMENTS.**

(a) **SHORT TITLE.**—The section may be cited as the “Guidance Out Of Darkness Act” or the “GOOD Act”.

(b) **DEFINITIONS.**—In this section:

(1) **AGENCY.**—The term “agency” has the meaning given the term in section 551 of title 5, United States Code.

(2) **DIRECTOR.**—The term “Director” means the Director of the Office of Management and Budget.

(3) **GUIDANCE DOCUMENT.**—

(A) **DEFINITION.**—The term “guidance document”—

(i) means an agency statement of general applicability (other than a rule that has the force and effect of law promulgated in accordance with the notice and comment procedures under section 553 of title 5, United States Code) that—

(I) does not have the force and effect of law; and

(II) is designated by an agency official as setting forth—

(aa) a policy on a statutory, regulatory, or technical issue; or

(bb) an interpretation of a statutory or regulatory issue; and

(i) may include—

- (I) a memorandum;
- (II) a notice;
- (III) a bulletin;
- (IV) a directive;
- (V) a news release;
- (VI) a letter;
- (VII) a blog post;
- (VIII) a no-action letter;
- (IX) a speech by an agency official; and
- (X) any combination of the items described in subclauses (I) through (IX).

(B) **RULE OF CONSTRUCTION.**—The term “guidance document”—

(i) shall be construed broadly to effectuate the purpose and intent of this title; and

(ii) shall not be limited to the items described in subparagraph (A)(ii).

(C) **PUBLICATION OF GUIDANCE DOCUMENTS ON THE INTERNET.**—

(1) **IN GENERAL.**—Subject to paragraph (4), on the date on which an agency issues a guidance document, the agency shall publish the guidance document in accordance with the requirements under paragraph (3).

(2) **PREVIOUSLY ISSUED GUIDANCE DOCUMENTS.**—Subject to paragraph (4), not later than 180 days after the date of enactment of this Act, each agency shall publish, in accordance with the requirements under paragraph (3), any guidance document issued by that agency that is in effect on that date.

(3) **SINGLE LOCATION.**—

(A) **IN GENERAL.**—All guidance documents published under paragraphs (1) and (2) by an agency shall be published in a single location on an internet website designated by the Director under subparagraph (D).

(B) **AGENCY INTERNET WEBSITES.**—Each agency shall, for guidance documents published by the agency under paragraphs (1) and (2), publish a hyperlink on the internet website of the agency that provides access to the guidance documents at the location described in subparagraph (A).

(C) **ORGANIZATION.**—

(i) **IN GENERAL.**—The guidance documents described in subparagraph (A) shall be—

(I) categorized as guidance documents; and

(II) further divided into subcategories as appropriate.

(ii) **AGENCY INTERNET WEBSITES.**—The hyperlinks described in subparagraph (B) shall be prominently displayed on the internet website of the agency.

(D) **DESIGNATION.**—Not later than 90 days after the date of enactment of this Act, the Director shall designate an internet website on which guidance documents shall be published under paragraphs (1) and (2).

(4) **DOCUMENTS AND INFORMATION EXEMPT FROM DISCLOSURE UNDER FOIA.**—If a guidance document issued by an agency is a document that is exempt from disclosure under section 552(b) of title 5, United States Code (commonly known as the “Freedom of Information Act”), or contains information that is exempt from disclosure under that section, that document or information, as the case may be, shall not be subject to the requirements under this title.

(5) **RESCINDED GUIDANCE DOCUMENTS.**—On the date on which a guidance document issued by an agency is rescinded, or, in the case of a guidance document that is rescinded pursuant to a court order, not later than the date on which the order is entered, the agency shall, at the location described in paragraph (3)(A)—

(A) maintain the rescinded guidance document; and

(B) indicate—

(i) that the guidance document is rescinded;

(ii) if the guidance document was rescinded pursuant to a court order, the case number

of the case in which the order was entered; and

(iii) the date on which the guidance document was rescinded.

**SA 1585.** Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ REGULATORY IMPROVEMENT COMMISSION.**

(a) **SHORT TITLE.**—This section may be cited as the “Regulatory Improvement Act of 2021”

(b) **DEFINITIONS.**—In this section—

(1) the term “Commission” means the Regulatory Improvement Commission established under subsection (c);

(2) the term “commission bill” means a bill consisting of the proposed legislative language of the Commission recommended under subsection (d)(8)(B)(iii) and introduced under subsection (d)(9)(A);

(3) the term “covered regulation” means a regulation that has been in effect for not less than 10 years before the date on which the Commission is established;

(4) the term “regulation” means a rule, as defined in section 551 of title 5, United States Code; and

(5) the term “regulatory agency” means an agency, as defined in section 3502 of title 44, United States Code, that has the authority to issue a regulation.

(c) **ESTABLISHMENT OF COMMISSION.**—

(1) **ESTABLISHMENT.**—There is established in the legislative branch a commission to be known as the “Regulatory Improvement Commission”.

(2) **MEMBERSHIP.**—

(A) **COMPOSITION.**—The Commission shall be composed of 9 members, of whom—

(i) 1 member shall be appointed by the President, and shall serve as the Chairperson of the Commission;

(ii) 2 members shall be appointed by the majority leader of the Senate;

(iii) 2 members shall be appointed by the minority leader of the Senate;

(iv) 2 members shall be appointed by the Speaker of the House of Representatives; and

(v) 2 members shall be appointed by the minority leader of the House of Representatives.

(B) **DATE.**—The appointment of the members of the Commission shall be made not later than 60 days after the date of enactment of this Act.

(C) **QUALIFICATIONS.**—Members appointed to the Commission shall be prominent citizens of the United States with national recognition and a significant depth of experience and responsibilities in matters relating to government service, regulatory policy, economics, Federal agency management, public administration, and law. Members may include past Administrators of the Office of Information and Regulatory Affairs, past chairs of the Administrative Conference of the United States, and other individuals with expertise and experience in rulemaking affairs and the administration of regulatory reviews.

(D) **LIMITATION.**—Not more than 5 members appointed to the Commission may be from the same political party.

(3) **PERIOD OF APPOINTMENT; VACANCIES.**—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(4) **INITIAL MEETING.**—Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold its first meeting.

(5) **MEETINGS.**—The Commission shall meet at the call of the Chair.

(6) **OPEN TO THE PUBLIC.**—Each meeting of the Commission shall be open to the public, unless a member objects.

(7) **QUORUM.**—Five members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(8) **NONAPPLICABILITY OF THE FEDERAL ADVISORY COMMITTEE ACT.**—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(d) **DUTIES OF THE COMMISSION.**—

(1) **PURPOSE.**—The purpose of the Commission is to evaluate and provide recommendations for modification, consolidation, or repeal of covered regulations with the aim of reducing compliance costs, encouraging growth and innovation, and improving competitiveness, all while—

(A) protecting public health and safety; and

(B) giving full consideration to—

(i) the benefits and the costs of regulation to society; and

(ii) the appropriate role of regulation with-in and costs associated with regulation to society.

(2) **REQUIREMENTS.**—In carrying out paragraph (1), the Commission shall—

(A) give priority in its analysis of covered regulations to those that—

(i) impose disproportionately high costs on a small entity (as defined in section 601 of title 5, United States Code);

(ii) create substantial recurring paperwork burdens or transaction costs; or

(iii) could be strengthened in their effectiveness while reducing regulatory costs;

(B) solicit and review comments from the public on the covered regulations described in this section; and

(C) develop a set of covered regulations to modify, consolidate, or repeal to be submitted to Congress for expedited consideration in accordance with paragraph (9).

(3) **PUBLIC COMMENTS.**—

(A) **IN GENERAL.**—Not later than 60 days after the date of the initial meeting of the Commission, the Commission shall initiate a process to solicit and collect written recommendations from the general public, interested parties, Federal agencies, and other relevant entities regarding which covered regulations should be examined.

(B) **SUBMISSION OF PUBLIC COMMENTS.**—The Commission shall ensure that the process initiated under subparagraph (A) allows for recommendations to be submitted to the Commission through the website of the Commission or by mail.

(C) **LENGTH OF PUBLIC COMMENT PERIOD.**—The period for the submission of recommendations under this subsection shall end 120 days after the date on which the process is initiated under subparagraph (A).

(D) **PUBLICATION.**—At the end of the period for the submission of recommendations under this paragraph, all submitted recommendations shall be published on the website of the Commission and summarized in the Federal Register.

(4) **COMMISSION OUTREACH.**—

(A) **IN GENERAL.**—During the public comment period described in paragraph (3), the